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Remarks:

Applicant appreciatively acknowledges the Examiner's confirmation of receipt of Applicant's claim for priority and certified priority document under 35 U.S.C. § 119(a)-(d).

Reconsideration of the application, as amended herein, is respectfully requested.

Claims 1 - 2, 4 - 22 and 24 - 31 are presently pending in the application. Claims 1, 4, 5, 16, 18, 21 and 26 have been amended. Claims 3 and 23 have been canceled. New claims 30 and 31 have been added.

Applicant gratefully acknowledges that item 5 of the above-identified Office Action indicated that claims 3, 4, 7 - 9, 16, 18, 23 and 26 would be allowable if rewritten in independent form including all of the limitation of the base claims and any intervening claims. As such, Applicant has amended independent claim 1 to include all the limitations of allowable claim 3. Thus, it is believed that Applicant's independent claim 1, and all claims depending therefrom, are patentable over the cited prior art.

Similarly, Applicant's independent claim 21 has been amended to recite all of the limitations of allowable claim 23. As such, Applicant's independent claim 21, and all claims

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depending therefrom, are additionally believed to be patentable over the cited prior art.

Similarly, Applicant's dependent claim 4 has been amended into independent form including all of the limitations of former claim 1 and allowable dependent claim 4, and thus, is believed to be in condition for allowance, per item 5 of the Office Action.

Applicant's dependent claim 16 has been amended to include all of the limitations of former claims 1 and 14 and allowable dependent claim 16, and thus, is believed to be in condition for allowance, per item 5 of the Office Action.

Applicant's dependent claim 18 has been amended to include all of the limitations of former claims 1 and 14 and allowable dependent claim 18, and thus, is believed to be in condition for allowance, per item 5 of the Office Action.

Applicant's dependent claim 26 has been amended to include all of the limitations of former claims 21 and 24 and allowable dependent claim 26, and thus, is believed to be in condition for allowance, per item 5 of the Office Action.

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Further, Applicant notes that claim 5 was not rejected over any prior art, although Applicant further notes that claim 5 was also not indicated as being allowable in item 5 of the Office Action. MPEP § 707.07 states that an Examiner's action will be **complete as to all matters** and that matters of form need not be raised by the examiner until a claim is found allowable. As claim 5 was not rejected in the Office Action, Applicant assumes that claim 5 is patentable over the art of record. As such, Applicant has amended claim 5, herein, to include all of the limitations of former claim 1, from which claim 5 depended. Thus it is additionally believed that Applicant's claim 5 is in condition for allowance.

In item 3 of the Office Action, claims 1 - 2, 6 - 7, 10 - 15, 17, 19 - 20, 21 - 22, 24 - 25 and 27 - 29 were rejected under 35 U.S.C. § 103(a) as allegedly being obvious over references to Leeb et al., and Gandhi et al. As discussed above, it is believed that the amendments made to the claims herein, render moot the rejections made in item 3 of the Office Action. As such, it is believed that the present claims are patentable over the prior art.

Further, in item 1 of the Office Action, claims 21 - 29 were rejected under 35 U.S.C. § 101 as allegedly being directed to

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non-statutory subject matter. More particularly, item 1 of the Office Action states, in part:

Since there is no physical transform to establish a practical application, a useful, concrete and tangible result appears to be lacking. Therefore, claims 21 - 29 are directed to a non-statutory process. [emphasis in original]

Applicant respectfully disagrees.

More particularly, claim 21 recites, a method for suppressing limit cycles during noise conversion, including, among other steps:

obtaining a resultant signal by using a filter block for noise conversion to filter an input signal;

obtaining an output signal by adding a feedback signal to the resultant signal of the filter block;
[emphasis added by Applicant]

As such, Applicant's claim 21 produces, among other things, an output signal from which are suppressed limit cycles introduced during noise conversion.

The claimed useful, tangible and concrete output signal is the result of a transformation that occurs from the claimed process. More particularly, Applicant's claimed useful, tangible and concrete output signal is the result of filtering an input signal for noise conversion, in order to obtain a

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resultant signal, and then, processing this resultant signal in a specific way, namely: (1) to add a feedback signal to the resultant signal to obtain an **output signal**; and, (2) to generate the feedback signal from an error signal derived from the **output signal**.

Thus, Applicant's invention of claim 21 (and claims 22 and 24 - 29) produces a tangible output (i.e., the so-called "**output signal**" from which the limit cycles have been removed).

More particularly, as explained on page 2 of the instant application, lines 23 - 25, filtering of the input signal for noise conversion generates limit cycles. Thus, the resultant signal contains limit cycles. If the filtered signal is an audio signal, limit cycles can be heard as disturbing whistling noises (see, page 3 of the instant application, lines 1 and 2).

As described on page 4 of the instant application, lines 16 - 25, the signal processing of the filtered signal (i.e., the "resultant signal") according to (1) and (2), above, eliminates the limit cycles from the filtered signal, thus producing the **output signal**. As an example, if the signal to be filtered is an audio signal, the signal processing (1) and (2), above, removes the whistling from the **output signal**.

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Thus, the generation of the output signal, from which the limit cycles (caused by the filtering process) are removed, creates a "tangible" result of the claimed process. This tangibility is apparent and perceptible. For example, an audible whistling is removed from a filtered audio signal, producing an output signal without the whistling (i.e., in the case of an input audio signal).

If the signal to be filtered is not an audio signal, the limit cycles will cause other interferences (depending on the nature of the signal-type), and the removal of these other interferences would be perceptible in those output signals, as well. Thus, the process of claim 21 (as well as claims 22 and 24 - 29) produce a useful, concrete and tangible result, namely a filtered output signal from which limit cycles have been removed.

As such, it is believed that the subject matter of claims 21 - 29, which produce among other useful, concrete and tangible outputs, Applicant's claimed "output signal", obtained from the resultant signal and the feedback signal.

Applicant believes that the phrase "obtaining an output signal" is already illustrative that an output signal is produced, and that stating that the output signal is outputted

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is redundant and duplicative. However, Applicant is presenting herein for consideration, additional dependent claims 30 and 31, depending from claims 21 and 26, respectively, that even more clearly recite the **outputting** of the **output signal** of claims 21 and 26.

In view of the foregoing, it is believed that Applicant's invention of claims 21, 22 and 24 - 31 are statutory subject matter under 35 U.S.C. § 101 and produce a useful, tangible and concrete result (i.e., **output signal**).

It is accordingly believed that none of the references, whether taken alone or in any combination, teach or suggest the features of claims 1, 4, 5, 16, 18, 21 and 26. Claims 1, 4, 5, 16, 18, 21 and 26 are, therefore, believed to be patentable over the art. The dependent claims are believed to be patentable as well because they all are ultimately dependent on one of the allowable independent claims. Additionally, all of the claims are believed to be patentable under 35 U.S.C. § 101.

In view of the foregoing, reconsideration and allowance of claims 1 - 2, 4 - 22 and 24 - 31 are solicited.

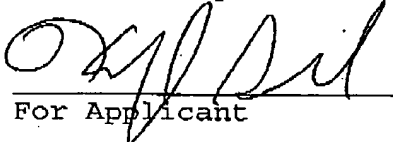
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In the event the Examiner should still find any of the claims to be unpatentable, counsel would appreciate receiving a telephone call so that, if possible, patentable language can be worked out.

A credit card payment form is being included herewith, to cover the additional number of independent claims created by way of this amendment. The total number of claims is believed to have stayed the same. If an extension of time for this paper is required, petition for extension is herewith made.

Additionally, please charge any further fees that might be due with respect to Sections 1.16 and 1.17 to the Deposit Account of Lerner Greenberg Stemmer LLP, No. 12-1099.

Respectfully submitted,


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